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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2021

CORAM

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No. 26337 of 2021

and

W.M.P.Nos.27812 and 27814 of 2021

1. S. Anburajan
2. M. Hindunathan
3. V.S. Manimaran

...Petitioners

Versus

- 1.The Registrar of Societies,
Office of the Registrar of Co-operative Societies,
Chennai (South),
Chennai-600 035.

- 2.The Tamil Nadu Small and Tiny
Industries Association,
Represented by its General Secretary,
No.10, G.S.T. Road,
Guindy, Chennai-600 032.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to forthwith consider and pass necessary orders on the representation of the petitioners dated 13.10.2021 within a stipulated period.

For Petitioners : Mr. K. Selvaraj

For R1 : Mr. R. Vigneswaran
Government Advocate

For R2 : Ms. C. Sangamithirai
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking a direction to the first respondent/Society to consider the petitioner's representation dated 13.10.2021.



2. The case of the petitioners is that the petitioners are the members of Tamil Nadu Small and Tiny Industries Association (TANSTIA). It is a registered Association and the same was recognized by the State and Central Government Departments. Subsequently, as per the rules and regulations of the Association, the present election for the second respondent Association was conducted on 23.09.2021. After completion of election, it came to know that the last day of the executive committee member's nomination on 31.08.2021 at about 5.30 p.m, a bunch of nominations received from various Associations, which are included with PAN card xerox and the same was scrutinized on an urgent basis by the Election Officers and they did not notice that most of the PAN cards of the Associations are not genuine and valid one and they were forged/fabricated documents. They have conspired and forged the societies renewal Form No.VI and Form No.VII of many members Associations in order to get additional votes. These fraudulent activities and forgery and falsification of documents has been committed by the present Office Bearers in order to capture the association and its administration. It is totally against the provisions of the Tamil Nadu Societies Registration Act, 1975, the Rules made thereunder and against the Rules and Regulations of TANSTIA. Therefore, the petitioners have sent a representation to the first respondent/Society requesting to take action against the election Office Bearers for the offences committed by them. On receipt of such representation, the first respondent directed the second respondent in Na.Ka.No.14995/E2/2021, dated 26.10.2021 to submit its explanation within fifteen days for the complaint of the petitioners dated 13.10.2021. But, the second respondent/Association has not taken any steps in this regard. Hence, the petitioners have come forward with the present writ petition.

3. The learned counsel appearing for the petitioners submitted that the petitioners will be satisfied if a direction is issued to the 1st respondent to consider the petitioner's representation dated 13.10.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the 1st respondent to consider the petitioner's representation dated 13.10.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioners and other aggrieved persons within a period of



eight weeks from the date of receipt of a copy of this order.
No costs. Consequently, connected Miscellaneous Petitions are
also closed.

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Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

msm

TO

1.The Registrar of Societies,
O/o the Registrar of Co-operative Societies,
Chennai (South),
Chennai-600 035.

2.The General Secretary,
The Tamil Nadu Small and Tiny
Industries Association,
No.10, G.S.T. Road,
Guindy, Chennai-600 032.

+1cc to Mr.K. Selvaraj, Advocate SR.No.65681

+1cc to Government Pleader SR.No.66142

W.P.No. 26337 of 2021

SRA (CO)
GMY (10/01/2022)